

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARQUES COMER,

Defendant.

Criminal Action No. 07- *134 UNA*

INDICTMENT

REDACTED

The Grand Jury for the District of Delaware charges that:

COUNT ONE

On or about July 25, 2007, in the State and District of Delaware, Marques Comer, defendant herein, did knowingly possess in and affecting interstate and foreign commerce, a firearm, that is, an SKS rifle, serial number 3W2284, after having been convicted on or about October 30, 2003, of a crime punishable by imprisonment for a term exceeding one year, in the Superior Court in and for New Castle County, Delaware, in violation of Title 18, United States Code, Sections 922(g)(1) & 924(a)(2).

COUNT TWO

On or about July 25, 2007, in the State and District of Delaware, Marques Comer, defendant herein, did knowingly possess in and affecting interstate and foreign commerce, ammunition, that is, seventeen (17) .243 caliber cartridges, after having been convicted on or about October 30, 2003, of a crime punishable by imprisonment for a term exceeding one year, in the Superior Court in and for New Castle County, Delaware, in violation of Title 18, United States Code, Sections 922(g)(1) & 924(a)(2).

NOTICE OF FORFEITURE

Upon conviction of one or more of the offenses alleged in Counts One and Two of this Indictment, defendant Marques Comer shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offense(s), including but not limited to the following:

an SKS rifle, serial number 3W2284

eighteen (18) .243 caliber cartridges

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C.

§ 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL:

Foreperson

COLM F. CONNOLLY
United States Attorney

BY:

Shawn A. Weede

Assistant United States Attorney

Dated: October 10, 2007